NEW MEXICO
ENVIRONMENT DEPARTMENT

SUSANA MARTINEZ
Governor

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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Deputy Secretary

Certified Mail – Return Receipt Requested

February 19, 2018

Mr. Bob Podzemny
7-H Feeders, Inc.
P.O. Box 220
Clayton, New Mexico 88415

RE: 7-H Cattle Feeders Inc.; Major; Concentrated Animal Feeding Operation; SIC 0211; Reconnaissance Inspection; NPDES NMG010040; January 31, 2018

Dear Mr. Podzemny:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Introduction, detailed site observations, and findings noted during this inspection are discussed in the inspection report. The NPDES General Permit for Discharges from Concentrated Animal Feeding Operations (CAFOs) in New Mexico was re-issued effective as modified September 1, 2016. For questions regarding permitting please see: https://www.epa.gov/npdes/animal-feeding-operations-afos

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Abu Senkayi
Regional 6 CAFO Enforcement Coordinator
US Environmental Protection Agency, Suite 1200
Department Enforcement Branch (6EN-WR)
1445 Ross Avenue
Dallas, Texas 75202-2733

Sarah Holcomb, Program Manager
New Mexico Environment
Surface Water Quality Bureau
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

If you have any questions about this inspection report, please contact Daniel Valenta at 505-827- 2575 or at daniel.valenta@state.nm.us.

Sincerely,

/s/Sarah Holcomb

Sarah Holcomb
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

cc: Carol Peters, USEPA (6EN-WM) by e-mail
David Long, USEPA (6EN-WM) by e-mail
Robert Houston, USEPA (6EN) by e-mail
Darlene Whitten-Hill, USEPA (6EN) by e-mail
Nancy Williams, USEPA (6EN-WC) by e-mail
William Cooper, USEPA (6EN-WR) by e-mail
Abu Senkayi, USEPA (6EN-WR) by e-mail
David Esparza, USEPA (6EN-WM) by e-mail
Amy Andrews, USEPA (6EN-WM) by e-mail
Robert Italiano, NMED District II by e-mail
Ben Weinheimer, Texas Cattle Feeders Association; Ben@tcfa.org
Justin Ball, NMED GWQB Remediation Oversight Section, by e-mail

EPA

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

1	Transaction Code	2	NPDES	11	yr/mo/day	17	Inspec. Type	18	Inspector	19	Fac Type	20
	N	5	NMG0100400	12	180131		R		S		3	

Remarks: LARGE CAFO-FEEDLOT

67	Inspection Work Days	69	70	Facility Evaluation Rating	71	BI	72	QA	73	74	75	Reserved	80
			2			N		N					

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*	Entry Time /Date	Permit Effective Date
7-H Feeders, Inc., 3.3 Miles east of US 87/US56 Intersection in Clayton on US 56, 1 Mile North on NM on 406 on left **Union County**	**1300 hours/1-31-2018**	**9-1-2016**
	Exit Time/Date **1345 hours/1-31-2018**	Permit Expiration Date **8-31-2021**

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data
Bob Podzemny/President/7-H Feeders Inc. P.O. Box 220, Clayton, NM 88415 **575-374-2591 fax 505-374-8342**	**GPS:** **N. 36° 28' 57.4"** **W. -103° 07' 38.3"** **SIC: 0211**
Name, Address of Responsible Official/Title/Phone and Fax Number **Bob Podzemny/President/7-H Feeders Inc. P.O. Box 220, Clayton, NM 88415** **575-374-2591 fax 505-374-8342**	Contacted Yes [X] No [ ]

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	U	Operations & Maintenance	N	CSO/SSO
N	Records/Reports	U	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
U	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. **SEE ATTACHED REPORT AND FURTHER EXPLANATIONS.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta ***/s/Daniel Valenta***	**NMED/SWQB 505-827-2575**	2/15/2018
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Jennifer Foote ***/s/Jennifer Foote***	**NMED/SWQB 505-827-0596**	2/15/2018

NPDES Reconnaissance Inspection
7H Feeders, Inc.
Further Explanations

Introduction:

On January 31, 2018, an Reconnaissance Inspection was conducted at the 7-H Feeders Inc., an animal feeding operation located at Clayton, New Mexico by Daniel Valenta and Sandra Gabaldon of the NMED. This inspection was in response to a Field Inspection Report submitted by the USFS concerning the discharge coming from the 7-H Feeders facility and flowing into the Kiowa National Grasslands Unit #42.

An entrance interview was conducted and credentials were presented to Mr. Podzemny at approximately 1310 hours on January 31, 2018 at the facility office. The reason for the inspection was discussed. The southeast side of the feedlot was visited where the discharges were reported to originate from. This Reconnaissance inspection focused on the reported release. A brief exit discussion was held on site with Mr. Podzemny concerning the release on January 31, 2018 at approximately 13:45.

On November 21, 2016 Mr. Podzemny, owner of 7-H Feeding operation signed a Notice of Intent (NOI) to be covered under the 2016 CAFO permit NMG010000 effective. On August 2017 the facility was covered by and operating under the new permit. The NOI describes the facility as holding in confinement 40,000 cattle which produce annually 54,000 tons and 95-acre feet of manure, litter and wastewater annually. The facility is divided into two separate drainage areas and includes a total of 10 waste storage ponds (WSP).

Runoff from this concentrated animal feeding operation may discharge to an unclassified tributary to Rabbit Creek; thence to Apache Creek; thence to East Rita Blanca Creek; thence to Coldwater Creek in the Canadian River Basin.

Per PART VI. STANDARD PERMIT CONDITIONS

Definitions: Bypass

i. Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Notice

1. *Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass. As of December 21, 2020, all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. See Part VI.D.4 for more information and important deadlines regarding electronic reporting.*

2. *Unanticipated bypass. The permittee shall submit notice of unanticipated bypass as required in D.7.of this section (24-hour notice). As of December 21, 2020, all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. See Part VI.D.4 for more information and important deadlines regarding electronic reporting.*

NPDES Reconnaissance Inspection
7H Feeders, Inc.
Further Explanations

3. Prohibitions of bypass.

i. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

ii.

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The permittee submitted notices as required under paragraph 10.c. of this section.

Reconnaissance Observations

The facility was designed to retain contaminated stormwater below the holding pens. However, it appeared downcutting had occurred on the southeast corner of the facility allowing waste water to bypass the containment ponds, see attachment 2.

On August 8, 2012 Richard Powell of the Surface Water Quality Bureau NMED inspected the facility, see attachment 1. One of the finding is the potential bypass of the containment structure. The facility had knowledge of this potential bypass and discharge. See 2012 finding below. Site reconnaissance on January 31, 2018 found this is what appeared to have occurred.

"*An unnamed tributary to Rabbit Ear Creek is located along the south border of the pen areas at this facility. Runoff from the east side of the southeast pen area is generally directed along an access road to a ditch along the south edge of the pen area to RCS #1 - #8. However, the current configuration of the road may allow for some of the runoff to discharge into the tributary rather than these ponds. The facility operator needs to install/repair berms in this area, as well as an area in the northeast part of the site, to ensure that all runoff from the production area is contained in appropriately sized runoff control structures."*

Per PART IV. DISCHARGE MONITORING AND NOTIFICATION REQUIREMENTS

4. ***Notification of Discharges Resulting from Manure, Litter, and Process Wastewater Storage, Handling, On-site Transport and Application***

If, for any reason, there is a discharge of pollutants to a water of the United States, the permittee is required to make immediate oral notification within 24-hours to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas at 214-665-6595, and NMED at 505-827-0187. The permittee is also required to notify EPA and NMED in writing within fourteen (14) working days of the discharge of pollutants to a water of the United States from the facility. In addition, the permittee shall keep a copy of the notification submitted to EPA together with the other records required by this permit. The discharge notification shall include the following information:

NPDES Reconnaissance Inspection
7H Feeders, Inc.
Further Explanations

a. A description of the discharge, its cause, and any actions taken to stop the release. Include a description of the flow path to the receiving water body, an estimate of the flow and volume discharged, and an estimate of any recovered volume.

b. The date of the rain event and the daily rainfall amount as recorded by the rain gauge noted in Part II.A.2.a. ix. Rainfall amounts will be reported to the nearest half (½) of an inch.

c. The period of non-compliance, including exact dates and times, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent recurrence of the discharge.

d. Any permittee required to implement an EAP under Part III.D.8 of the permit shall include information on how their EAP was implemented and what actions may be necessary to improve the plan.

Reconnaissance Observations

The discharge was reported to USFS by an anonymous individual on October 19, 2017. Personal from the USFS visited the site on October 23, 2017 and notified the facility owner Bob Podzemny on October 23, 2018 of the discharge, see attachment 3.

At no time was EPA or NMED notified by the facility of the discharge as required above. The USFS noted in their report they requested the facility contact NMED concerning the discharge.

PART VI. STANDARD PERMIT CONDITIONS

B. *Proper Operation and Maintenance*

The permittee shall, always, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

Reconnaissance Observations

The water tanks had floats that were damaged by the cattle. With the floats damaged the water did not turn off. Thus, the tanks overflowed and ran through the holding pens and off site.
The USFS Discharge Report of January 10, 2018 described the discharge continuing from 10/19/2017 to 12/14/2017. Per Weather Underground rainfall totals were reviewed for the city of Clayton. On October 5, 2017 it rained 0.9". This was the only rain event to occur during the months of October 2017 to December 2017 over 0.2".

Mr. Podzemny was questioned about the delay in repairing the floats. Mr. Podzemny responded that the decision was made to repair all the floats at the same time.

NPDES Reconnaissance Inspection
7H Feeders, Inc.
Further Explanations

Per Part II. A.2.vi: Animal Mortalities

"Properly dispose of dead animals within three (3) days unless otherwise provided for by the Director. Mortalities must not be disposed of in any liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities. Mortalities must be handled in such a way as to prevent the discharge of pollutants to surface water, unless alternative technologies pursuant to 40 CFR 412.31(a)(2) and approved by the Director are designed to handle mortalities."

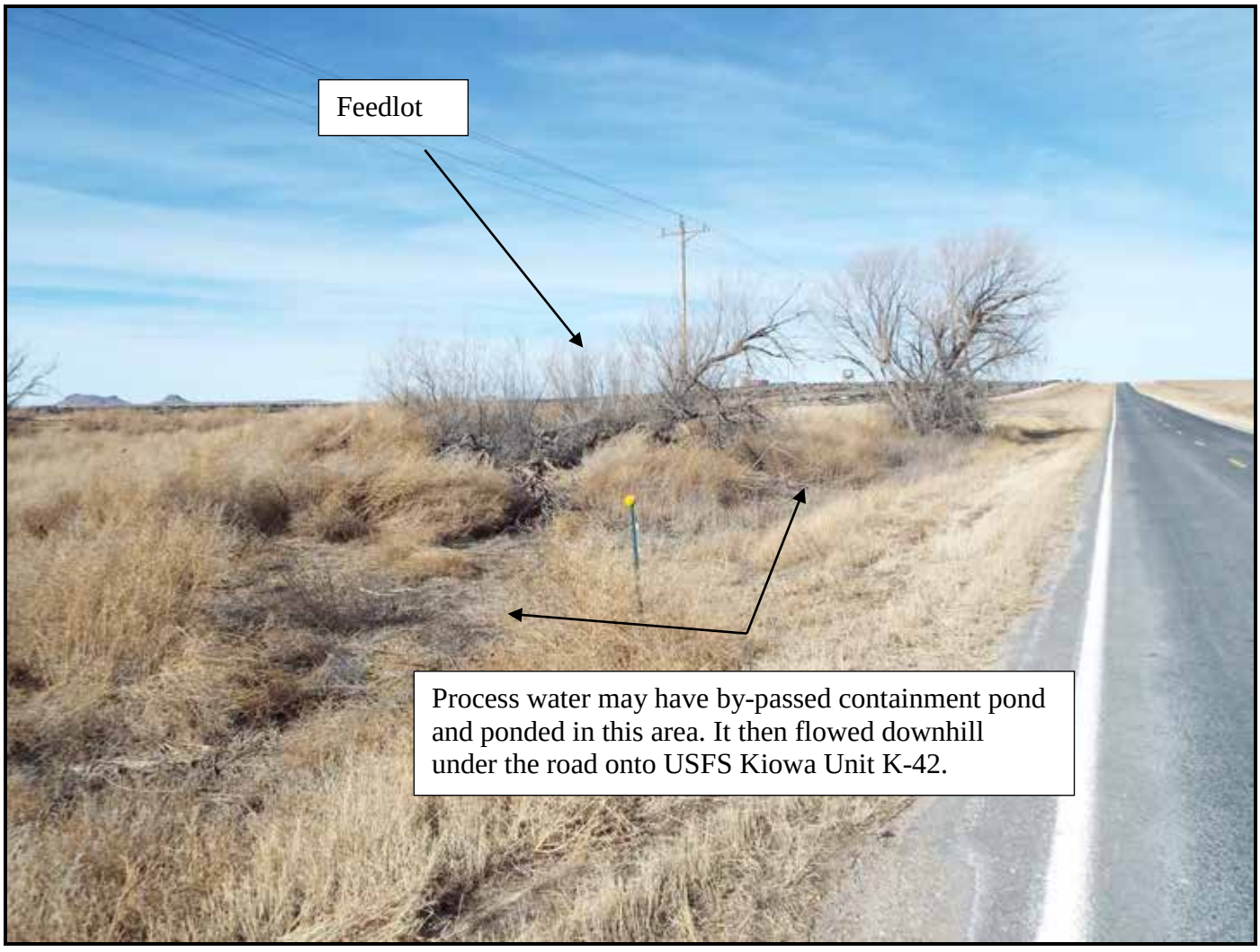
Reconnaissance Observations

While driving through the east side of the facility we noticed the mortalities. The exact number is unknown but what was noted is the various stages of decomposition the mortalities were in. As stated in the permit, the mortalities should be removed within three days. It was clear many of the mortalities had been there for longer than three days. In some places all that was left is bones sticking out of dried hide. There also appeared to be a bloated animal in a pen with other live cows.

NMED/SWQB
Official Photograph Log

Photo # 1

Photographer: Daniel Valenta	Date: 1/31/2018	Time: Time stamp error.
City/County: Clayton/Union		
Location: State Hwy 406 north of Clayton (36 28 58) (-103 07 40)		
Subject: Location where discharge from feedlot occurred.		



NMED/SWQB
Official Photograph Log

Photo # 2

Photographer: Daniel Valenta	Date: 1/31/2018	Time: Time stamp error.
City/County: Clayton/Union		
Location: State Hwy 406 north of Clayton (36 28 58) (-103 07 40)		
Subject: Water flowed east through this drainage onto Kiowa Grassland K-42 Unit.		

NMED/SWQB
Official Photograph Log

Photo # 3

Photographer: Daniel Valenta	Date: 1/31/2018	Time: Time stamp error.
City/County: Clayton/Union		
Location: State Hwy 406 north of Clayton (36 28 58) (-103 07 40)		
Subject: Northwest corner of feedlot where discharge may have occurred.		

Attachment 1

NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

Harold Runnels Building, N2050
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.nmenv.state.nm.us

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division

Certified Mail - Return Receipt Requested

August 8, 2012

Mr. Bob Podzemny
7H Feeders, Inc.
P.O. Box 220
Clayton, New Mexico 88415

RE: Concentrated Animal Feeding Operation; SIC 0211; NPDES Compliance Evaluation Inspection; 7H Feeders; NMG010040; July 10, 2012

Dear Mr. Podzemny:

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are discussed in the checklist and Further Explanations sections of the inspection report. You are encouraged to review the inspection report; and required to correct any problems noted during the inspection and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify in writing, both USEPA and NMED regarding modifications and compliance schedules.

The NPDES General Permit for Discharges from Concentrated Animal Feeding Operations (CAFOs) in New Mexico was re-issued effective as modified September 3, 2009. For questions regarding permitting please see:
http://www.epa.gov/region6/water/npdes/cafo/

My thanks for the assistance and cooperation of your consultant during the inspection. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 827-2798.

Sincerely,

/s/ RICHARD E. POWELL

Richard E. Powell
Surface Water Quality Bureau

CC: Willie Lane, USEPA (6EN) by email
Rashida Bowlin, USEPA (6EN) by email
Abu Senkayi, USEPA (6EN) by email

EPA

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

1	2	3	NPDES	11	12	yr/mo/day	17	18	Inspec. Type	19	Inspector	20	Fac Type
	Transaction Code												
	N	5	NMG0100401			120710			=		S		3

Remarks: LARGE CAFO-FEEDLOT

67	Inspection Work Days	69	70	Facility Evaluation Rating	71	BI	72	QA	73	74	75	Reserved	80
				2		N		N					

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*	Entry Time /Date	Permit Effective Date
7H FEEDERS, INC. – 3.3 MILES EAST OF US 87/US 56 INTERSECTION IN CLAYTON ON US 56, 1 MILE NORTH ON NM 406 ON LEFT UNION COUNTY	1225/07-10-12	9-3-09
	Exit Time/Date 1450/07-10-12	Permit Expiration Date 9-2-14

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data
MATT DAVIS, TCFA 806-358-3681 BEN WEINHEIMER, TCFA 806-358-3681, 806-683-3681 (CELL)	LAT 36 28 57.4 LONG -103 07 38.3 SIC 0211
Name, Address of Responsible Official/Title/Phone and Fax Number BOB PODZEMNY, PRESIDENT, 7H FEEDERS, INC. P.O. BOX 220, CLAYTON, NM 88415	Contacted Yes [ ] No [*]

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	U	Operations & Maintenance	N	CSO/SSO
S	Records/Reports	M	Self-Monitoring Program	S	Sludge Handling/Disposal	N	Pollution Prevention
M	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	M	Other: NMP

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. THE INSPECTOR ARRIVED AT THE FACILITY AT 1225 HOURS ON JULY 10, 2012. THE INSPECTOR CONDUCTED AN ENTRANCE INTERVIEW WITH MESSRS. BEN WEINHEIMER AND MATT DAVIS WITH THE TEXAS CATTLE FEEDERS ASSOCIATION (TCFA). THE INSPECTOR MADE INTRODUCTIONS, PRESENTED HIS CREDENTIALS AND DISCUSSED THE PURPOSE OF THE INSPECTION.
2. FACILITY HAS A CAFO PERMIT AND HAS PREPARED A NUTRIENT MANAGEMENT PLAN (NMP).
3. RUNOFF FROM THIS ANIMAL FEEDING OPERATION WOULD DISCHARGE TO AN UNCLASSIFIED TRIBUTARY TO RABBIT EAR CREEK; THENCE TO APACHE CREEK; THENCE TO EAST RITA BLANCA CREEK; THENCE TO COLDWATER CREEK IN THE CANADIAN RIVER BASIN.
4. AN EXIT INTERVIEW TO DISCUSS THE PRELIMINARY FINDINGS OF THE INSPECTION WAS CONDUCTED WITH MESSRS. WEINHEIMER AND DAVIS ON JULY 10, 2012, AT THE 7H FEEDERS OFFICE.

	Agency/Office/Telephone/Fax	Date
/s/ RICHARD E. POWELL	NMED/SWQB 505-827-2798	August 8, 2012
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
/s/ SARAH HOLCOMB	NMED/SWQB 505-222-9587	August 8, 2012

NPDES Compliance Inspection
7H Feeders, Inc.
Further Explanations

Findings

This facility had NPDES CAFO General Permit coverage (#NMG010040) on the date of this inspection. This permit allows discharges from CAFOs due to both catastrophic (≥ 25-yr/24-hr storm event, hurricanes, tornadoes, etc.) and chronic (a series of wet weather conditions that preclude dewatering of properly maintained waste retention structures) conditions provided the facility is properly designed, constructed, operated and maintained to contain all process generated wastewater and the runoff from a 25-yr, 24-hr storm event (40 CFR Part 122, Appendix B).

There was a Nutrient Management Plan (NMP) prepared in written form and available at this site for the inspection that includes most of the required design, construction, and operational information. This facility was constructed in 1972. Some of the major findings are as follows:

- The NMP includes calculations that indicate that the runoff from a 25-yr, 24-hr storm event from ten separate drainage areas requires 42.84 ac-ft of storage capacity. Process wastewater plus manure is contained in ten lagoons of various capacities as follows (all include 1 foot freeboard and volumes are in ac-ft):

RCS #	Required Capacity	As-built Capacity	Excess/Shortage
1	4.89	8.07	+3.18
2	2.55	2.81	+0.26
3	2.58	2.80	+0.22
4	2.60	0.27	-2.33
5	2.18	0.07	-2.11
6	2.29	0.04	-2.25
7	2.15	1.15	-1.00
8	5.60	8.03	+2.43
9	6.72	9.10	+2.38
10	11.28	15.96	+4.68

RCS #1 - #8 contain runoff from the middle & east pen areas, RCS #9 contains runoff from the northwest pen area and RCS #10 contains runoff from the southwest pen area.

- Evaporation water balance sheets for a 10-year period for each of these 10 lagoons are included in the NMP. None except RCS #10 have accounted for manure build-up in most or all lagoons. According to these calculations, several of the lagoons would discharge at least once during the 10-year period at times other than during a 25-year, 24-hour storm event. In addition, as shown above, lagoons 4, 5, 6, and 7 are not designed to contain the runoff from a 25-year, 24-hour storm, even empty.

- An unnamed tributary to Rabbit Ear Creek is located along the south border of the pen areas at this facility. Runoff from the east side of the southeast pen area is generally directed along an access road to a ditch along the south edge of the pen area to RCS #1 - #8. However, the current configuration of the road may allow for some of the runoff to discharge into the tributary rather than these ponds. The facility operator needs to install/repair berms in this area, as well as an area in the northeast part of the site, to

ensure that all runoff from the production area is contained in appropriately sized runoff control structures.

- See checklist for additional findings.

NPDES CAFO Nutrient Management Plan Review Checklist

Part A – Basic Facility Information

1. Facility Identification

Operation Name: 7H Feeders, Inc.

NPDES permit number: NMG010040

2. Plan Preparer Certification

Did the plan preparation involve certified technical specialists? ..... ☒ Yes ☐ No

Are the name and certification credentials of the plan preparer identified in the plan? ☒ Yes ☐ No

3. Type of Operation

Is the operation ☒ Large CAFO ☐ Medium or Small CAFO ☐ Other (non-CAFO)

Is the operation ☒ Open lot ☐ Partially enclosed ☐ Fully enclosed

Notes: _____
_____
_____

Does the description of the facility in the plan reflect the description of the facility in the application/NOI/fact sheet/permit? .....☒ Yes ☐ No

4. Facility Location

Street Address (mailing):_____P.O. Box 220_____

City, State, ZIP:_____Clayton, NM 88415_____

Does the plan include maps that identify

(1) The location of the production area, including confinement areas, manure and wastewater handling and storage areas, and raw material handling and storage areas)? ..... ☒ Yes ☐ No

(2) All land application areas owned or under the ownership, rental, lease, other legal arrangement of the CAFO operator, including topography and soil types? .....☒ Yes ☐ No

(3) Environmentally sensitive areas (sinkholes, wells, drinking water sources, tile drain outlets, etc.) for the production and land application areas? ..... ☒ Yes ☐ No

Does the plan identify the latitude and longitude to the entrance of the production area? ..... ☒ Yes ☐ No

Does the plan identify the watershed(s) in which the operation is located? .....☒ Yes ☐ No

Is the watershed listed on the state's list of impaired watersheds? ..... ☐ Yes☒ No

*If yes, what impairments are identified?*_____
_____
_____

Is this facility within a state-designated source water protection area? .....☐ Yes☒ No

Are there any other water quality concerns in this watershed? ..... ☐ Yes☒ No

Explain: _____
_____
_____

5. Animals

What type(s) of animals are confined at the facility?

☒ Beef (slaughter/feeder)
□ Dairy
□ Swine
□ Turkey
□ Duck _____
□ Chicken – Layer
□ Chicken – Broiler
□ Sheep/Lambs
□ Horse
□ Other_____

What is the maximum number of animals confined, by animal type?

☒ Beef (slaughter/feeder) _40,000___
□ Dairy _____
□ Swine _____
□ Turkey _____
□ Duck _____
□ Chicken – Layer _____
□ Chicken – Broiler _____
□ Sheep/Lambs _____
□ Horse _____
□ Other _____

Is the plan based on the animal numbers listed above? ..... ☒ Yes ☐ No

*If no, on what capacity is the plan based?____40,000 lot capacity, 8352 on-site on this date.*_____
_____

Part B – Nine Minimum Practices

Minimum Practice: Ensure Adequate Storage Capacity

Manure/Litter/Process Wastewater Generation

What are the manure generation rates identified in the plan?

Animal Type 1:____54,000 Tons/year_____ _____ lbs/year
Animal Type 2:_____ _____ lbs/year
Animal Type 3:_____ _____ lbs/year

Are the manure generation rates generally consistent with the USDA's *Agricultural Waste Management Field Handbook*? ..... ☒ Yes ☐ No

If no, are other practices in place that account for the rates included in the plan? ..... ☐ Yes ☐ No

If yes, what are the practices identified in the plan? ..... ☐ Feed Management ☒ Other *Explain:* _____ ASABE Std. # D384.2 Based on NOI maximum head count - actual production much less_____ _____

Does the plan identify all sources of process wastewater and appropriate generation rates? .. ☒ Yes ☐ No

Storage Capacity

Does the plan identify the volume and number of days of storage required for the facility? ....☒ Yes ☐ No

Does the plan identify the size (in acres) of the production area? .....☒ Yes *126.4+RCS#9* acres ☐ No

Does the plan identify the number and type of storage structures? ..... ☒ Yes ☐ No

Does the plan document the source of the information to calculate available storage volume? ☒ Yes ☐ No

Does the storage volume in the plan account for manure and process wastewater generation (including silage leachate and other wastes) during the storage period in addition to the collection of runoff and direct precipitation on the surface of the storage structure from normal precipitation and the design storm event (25-year, 24-hour storm or other as required/appropriate for new source swine, poultry, and veal calf operations) for the CAFO location, a minimum treatment volume for anaerobic lagoons, and volume for solids accumulation? ..... □ Yes ☒ No *See Further Explanations*

Does the plan use the correct 25-year, 24-hour rainfall amount for the location of this operation to determine storage requirements (or other storm event as required/appropriate for new source swine, poultry, and veal calf operations)? .....4.3"..... ☒ Yes ☐ No

*Note source of information:*_____*NOAA*_____

Are the evaporation rates used in the plan consistent with local data/guidance and appropriately applied? ..... ☒ Yes ☐ No

Does the plan include a schedule for cleaning out the storage structures or solids removal for liquid storage structures? .....*As needed*……..... ☒ Yes ☐ No

Does the plan document that available storage volume is consistent with the plan's specified land application schedule? .....*Land application from only 1 pond*..... □ Yes ☒ No

Does the plan require maintenance for all storage structures? ……..... ☒ Yes ☐ No

Does the plan identify the specific maintenance actions and a frequency/schedule for those actions? .....*Done as needed but maintenance needed now*..... ☐ Yes ☒ No

Terms for Minimum Practice: Ensure Adequate Storage Capacity (identify below or reference NMP section(s)):
_____ Facility uses a combination of ditches, berms and ten runoff control structures (RCS) to control runoff, manure and the runoff from a 25-year, 24-hour storm. See Further Explanations.
_____
_____
_____

Minimum Practice: Ensure Proper Management of Mortalities

Is the animal mortality addressed in the plan? ..... ☒ Yes ☐ No

If yes, what methods are identified in the plan to address animal mortality? ☐ Rendering ☐ Incineration ☒ Composting ☐ Disposal pits ☐ Landfill ☐ Other_____

Does the plan include a schedule for collecting, storing, and disposing of animal carcasses? . ☒ Yes ☐ No

Does the plan address mortality storage before final disposition? .....☒ Yes ☐ No

Is the mortality rate used in the plan consistent with USDA expected values for the animals confined at the operation? ..... ☒ Yes ☐ No

Does the plan include contingency plans for unexpected but possible occurrences such as mass mortality or the loss of a rendering contractor? ..... ☒ Yes ☐ No

Does the animal mortality plan meet state and local requirements? ..... ☒ N/A ☐ Yes ☐ No

*Terms for Minimum Practice: Ensure Proper Management of Mortalities (identify below or reference NMP section(s)): ____Use NMSU Cooperative Extension Service Guide D-108*_____
_____

Minimum Practice: Divert Clean Water from Production Area

Does the plan address the diversion of clean water from the production areas?..... □ Yes ☒ No

If no, why? _____*No, or minimal, runon.*
_____
_____

If no, is the runoff being collected and is storage of runoff adequate? (See the Minimum Practice: Ensure Adequate Storage Capacity section) ..... □ Yes ☐ No

Does the plan require periodic visual inspection to verify proper and functional diversion? ..□ Yes ☐ No

Does the plan address the maintenance of diversion structures? ..... □ Yes ☐ No

Terms for Minimum Practice: Divert Clean Water from Production Area (identify below or reference NMP section(s)):
_____
_____

Minimum Practice: Prevent Direct Contact

Does the facility or topographic map identify any surface water in the production area? .....☐ Yes☒ No

If yes, are measures in the plan to prevent direct contact? ..... ☐ Yes ☐ No

What are the measures identified in the plan?..... ☐ Fences ☐ Other

Does the plan address maintenance of the identified practices? ..... ☐ Yes ☐ No

Terms for Minimum Practice: Prevent Direct Contact (identify below or reference NMP section(s)):
*NA. There are no surface waters in the production area.*_____
_____
_____

Minimum Practice: Chemical Disposal

Does the plan include practices that ensure chemicals (including pesticides, hazardous and toxic chemicals, and petroleum products/by-products) are not disposed of in any storage or treatment system that is not specifically designed to treat those chemicals? ..... ☐ Yes☒ No

Has the facility incorporated measures (in accordance with applicable laws and regulations) to prevent mishandling of pesticides, hazardous and toxic chemicals, and petroleum products/by-products? ..... ☒ Yes ☐ No

*If no, explain:*_____
_____

Terms for Minimum Practice: Chemical Disposal (identify below or reference NMP section(s)):
*_____Facility has no chemical storage/use on-site other than incidental amounts.*_____
_____
_____

Minimum Practice: Conservation Practices to Reduce Nutrient Loss

Does the plan specify a 100-foot setback or a 35-foot vegetated buffer or alternative setback for land application from downgradient surface waters and conduits in accordance with the Effluent Limitations Guideline? ..... ☐ N/A☒ Yes ☐ No

If an alternative setback has been specified, what is the basis for the use of an alternative setback?
_____*35' with vegetated buffer. Has 4 agricultural and 1 domestic use wells.*
_____
_____
_____

Does the plan include the use of best management practices (BMPs) to control nutrient loss from the:

Production area ..... ☐ N/A☒ Yes ☐ No

Land application area(s) ..... ☐ N/A☒ Yes ☐ No

If yes, identify:

Land Application Areas
□ Vegetated Buffers (Type of vegetation_____)
□ Diversion
□ Grassed Waterway (Type of vegetation_____)
□ Strip Cropping
□ Residue Management
□ Terracing
☒ Conservation Tillage

Production Area
□ Vegetated Buffers (Type of vegetation_____)
☒ Other ___ditches, berms, ponds_____

If BMPs are being used to control nutrient loss, does the plan specify how they are to be implemented? ..... □ Yes ☒ No

If yes, what does the plan require? _____
_____

What references are cited for the practices? ☒ USDA Practice Standards ☐ State Standards ☐ Other _____ (*Note: To be used to verify proper implementation*)

Does the plan include Operation & Maintenance requirements for practices used to reduce nutrient loss? .....*But structures appear to need maintenance*..... ☒ Yes ☐ No

Do the plan and facility maps identify the specific locations where the BMPs and setbacks are to be used? ..... ☐ N/A☒ Yes ☐ No

Terms for Minimum Practice: Conservation Practices to Reduce Nutrient Loss (identify below or reference NMP section(s)):

_____
_____

Minimum Practice: Protocols for Manure and Soil Testing

Does the plan include specific protocols for the representative *sampling* of manure, wastewater, and soil for determining nutrient content?..... ☒ Yes ☐ No

Does the plan include appropriate frequencies for the *sampling* of manure, wastewater, and soil for determining nutrient content? .....*Yearly for all three - last - October 2011*..... ☒ Yes ☐ No

Does the plan include specific protocols for the *analysis* of manure, wastewater, and soil for determining nutrient content? .....*Servi-Tech soils, TAMU manure*..... ☒ Yes ☐ No

Are the soil test results used to develop the plan less than 5 years old? ..... ☒ Yes ☐ No

Are the manure nutrient analysis results used to develop the plan less than 12 months old? ... ☒ Yes ☐ No
[Note: book values may be used for the first year of operation.]

Terms for Minimum Practice: Protocols for Manure and Soil Testing (identify below or reference NMP section(s)):

_____
_____
_____
_____
_____
_____

Minimum Practice: Protocols for Land Application of Manure and Wastewater

Manure, Litter, and Process Wastewater Use and Disposal

What manure utilization options are identified in the plan? (If more than one option is identified in the plan, indicate the relative amount of the manure used or disposed of under this option.)

☒ Land Application
.....100____%

☐ Composting ..... _____%

☐ Incineration ..... _____%

Does the plan address what is done with the remaining ash? _____
_____

☒ Other ..... _____%

Describe:_____NMP specifies land application but operator typically only irrigates with process wastewater from RCS #9 while for the remainder evaporation is used. Solid manure is typically sent offsite. _____
_____

Is manure, litter, or wastewater to be transferred off-site? ☒ Yes ☐ No

If yes:
How much will be transferred annually? *_12,000 tons* _____gallons

Does the plan include the necessary arrangements for that transfer? ..... ☒ Yes ☐ No

Does the plan identify the recipients? .....Hauled by Todd Poling.....☒ Yes ☐No

If the plan includes land application of manure, litter, or process wastewater:

Do the facility maps identify the fields or conservation management units (CMU) used to develop the plan? (Field boundaries, field number, acreage) ..... ☒ Yes ☐ No

Does the plan address rates of application using the ☐ linear approach or the☒ narrative rate approach?
[Note: The linear and narrative rate approaches primarily influence identification of terms based on the NMP and generally do not dictate the content of the NMP, with a few specific exceptions. The questions

in the sections below identify specific information that is required to support development of terms under a particular approach.]

How many acres under control of the CAFO (e.g., owned, leased, subject to an access agreement) are identified in the plan for land application use? Just process wastewater, manure offsite

___500____ acres owned _____acres leased ___500___ total acres applied

Does the CAFO own or control sufficient land to properly use all manure and wastewater generated by the operation? ..... ☒ Yes ☐ No

If no:
Does the plan identify the quantity of excess manure being generated? _____tons/year or gallons/year

Does the plan identify how the excess manure is to be used? ..... ☐ Yes ☐ No
If yes, how?_____

Terms for Minimum Practice: Protocols for Land Application of Manure and Wastewater, Manure, Litter, and Process Wastewater Use and Disposal (identify below or reference NMP section(s)):
_____
_____
_____
_____
_____
_____

Crop Production Information

For use where the NMP includes land application of manure, litter, or process wastewater

Does the plan identify what crops are produced for each field? ..... ☒ Yes ☐ No
*What are they?___ Facility has four fields available for land application (LMU 1-4) See NMP/permit for crops for each.*_____
_____

Does the plan identify the crop rotations? ..... ☐ Yes ☐ No

*What is the crop rotation?_____Facility has four fields available for land application (LMU 1-4) See NMP/permit for rotations for each.*_____
_____

Does the plan identify cropping practices? .....☒ Yes ☐ No

If yes, what are they? ☐ Ridge Till ☒ Conservation Tillage ☐ Contour Farming ☐ Other
_____

Does the cropping system use irrigation? .....☒ Yes ☐ No

If yes, what type: ☐ Traveling Gun ☒ Center Pivot ☐ Flood ☐ Other Sprinkler ☐ Ridge and furrow
☐ Other_____

For plans using the narrative rate approach, does the plan identify alternative crops for specific fields? ..... ☒ Yes ☐ No
[Note: Inclusion of alternative crops is optional.]

Are realistic crop yield goals identified in the plan (including for alternative crops, if included in plans using the narrative rate approach)? ..... ☒ Yes ☐ No ☐

What source of information was used to determine the realistic yield goals for this operation? ☐ Farm records (*Circle one:* last year's crop production, 3-year average, 5- year average, Other: _____) ☒ USDA ☐ State databases (VALUES, MASCAP) ☐ County averages ☐ Previous crop insurance records

Is adequate justification provided to support the yield goal? .....☒ Yes ☐ No

Terms for Minimum Practice: Protocols for Land Application of Manure and Wastewater, Crop Production Information (identify below or reference NMP section(s)): _____Use NM NRCS Practice 590.

_____
_____
_____
_____
_____

Rate Determination/Nutrient Application Information

For use where the NMP includes land application of manure, litter, or process wastewater

Does the plan clearly identify field-specific maximum application rates, as follows:

For plans using the linear approach, the maximum pounds of N and P from manure, litter, and process wastewater per crop, per year? ..... ☐ Yes☐ No

For plans using the narrative rate approach, the maximum pounds of N and P from all nutrient sources per crop, per year? ..... ☒ Yes ☐ No

Does the plan include the outcome of a field-specific N and P transport risk assessment?.....☒ Yes ☐ No

Does the plan identify the basis/rationale for determining an N-based or P-based application rate for each field? .....*N-based*..... ☒ Yes ☐ No

What is the basis? ☐ Soil test method ☐ Soil phosphorus threshold ☒ Phosphorus Index
☐ Other_____

Does the plan identify fields where land application is N-based and where it is P-based? .....☒ Yes ☐ No

For P-based fields, does the plan include the use of multi-year P application? .....☐ Yes ☐ No

If yes,

Is multi-year P application limited to fields that do not have a high potential for P runoff to surface water? ..... ☐ Yes☐ No

Is the application rate limited to the annual crop N requirement? ..... □ Yes ☒ No

Is additional P application planned only after the amount applied in the multi-year application has been removed through crop uptake and harvest? ..... ☐ Yes ☐ No

Does the plan identify the appropriate crop N and P removal rates or nutrient recommendations (including for alternative crops, if included in plans using the narrative rate approach)? ..... ☒ Yes ☐ No

Does the plan take into account other sources of nutrients used at the operation ..... ☒ Yes ☐ No

If yes, what other sources of nutrients have been accounted for?

☒ Commercial fertilizer
☐ Bedding
☒ Wastewater
☐ Compost
☐ Other
_____
☐ Biosolids
☐ Legume credits
☒ Previous manure application
☒ Irrigation water

For plans using the linear approach, does the plan clearly articulate the methodology used to account for the amount of N and P in the manure to be applied? ..... ☐ Yes ☐ No

For plans using the narrative rate approach, does the plan clearly articulate the methodology used to account for the following? ..... ☒ Yes ☐ No (check each that is addressed in the NMP methodology)

☒ Soil test results
☒ Credits for all plant available N in the field
☒ The amount of N and P in the manure to be applied
☐ Consideration of multi year P application
☐ Accounting for all other additions of plant available N and P to the field
☐ The form and source of manure
☐ The timing and method of land application
☐ Volatilization of N
☐ Mineralization of organic N

Does the plan identify the application method? .....☒ Yes ☐ No

If yes, what method is used: ☒ Surface applied ☐ Injected ☒ Incorporated

Does the plan identify appropriate volatilization rates based on the method of application? ...☒ Yes ☐ No

Does the plan include the application of wastewater to fields via an irrigation system? .....☒ Yes ☐ No

If yes:

Does the plan identify the type of irrigation system? ..... ☒ Yes ☐ No

Does the plan include provisions to minimize ponding or puddling of wastewater on land application fields? ..... ☒ Yes ☐ No

Does the plan address the management of drainage water to prevent surface or groundwater contamination? ..... ☒ Yes ☐ No ☐

Does the plan include specific restrictions or adequate management practices to prevent water pollution from the application of manure/wastewater to flooded, saturated, frozen, or snow- covered ground? ..... ☒ Yes ☐ No

Does the plan address inspection and maintenance of land application equipment? ..... ☒Yes ☐ No

Does the plan require periodic calibration of manure application equipment? .....☒Yes ☐ No

Are the application rates identified in the plan appropriate? .....☒Yes ☐ No

Notes: _____ *NMP specifies land application but operator typically only irrigates with process wastewater from RCS #9 while for the remainder evaporation is used. Solid manure is typically sent offsite.* _____
_____
_____

Terms for Minimum Practice: Protocols for Land Application of Manure and Wastewater, Rate Determination/Nutrient Application Information (identify below or reference NMP section(s)):
_____
_____
_____
_____
_____

Minimum Practice: Record Keeping

Identify the records that the plan indicates will be maintained at the facility.

☒ Production Area Records

Weekly inspections of stormwater and runoff diversion devices and devices for channeling contaminated stormwater to wastewater containment structures ..... ☒ Yes ☐ No

Weekly inspections of manure, litter, and process wastewater impoundments ..... ☒ Yes ☐ No

Weekly storage facility wastewater level, as indicated on a depth marker .*Only RCS#9*..... □ Yes ☒ No

Daily water line inspections .....*Weekly reports document repairs made*..... ☐ Yes☒ No

Actions taken to correct deficiencies identified as a result of daily and weekly inspections ….*But none noted*..... ☒ Yes ☐ No

Manure/wastewater storage—date of emptying, level before emptying, and level after emptying, or quantity removed (dry manure) .....*None documented since 4/09*..... □ Yes ☒ No

The date, time, and volume of any overflow .....*None documented.*…..…..…..... ☐ Yes ☐No

Records documenting that mortalities were not disposed of in any liquid manure or process wastewater system and that mortalities were handled to prevent the discharge of pollutants to surface water ..... ☒ Yes ☐ No

On-site precipitation ..... ☒ Yes ☐ No

Animal Inventory ..... ☒ Yes ☐ No

□ Land Application Records *No applications documented since current permit issued.*

Manure and wastewater sample nutrient analysis test methods and results that will be used to calculate land application rates ..... ☒ Yes ☐ No

Soil sample analysis test methods and results that will be used to calculate land application rates ..... ☒ Yes ☐ No

Manure and wastewater application equipment inspection log ..... ☒ Yes ☐ No

Maintenance log of all equipment necessary to control discharge and meet permit requirements (e.g., maintenance of land application equipment) ..... ☒ Yes ☐ No

Annual calculation of the maximum amount of manure or wastewater to be land applied, before application ..... ☒ Yes ☐ No

Crop planting/harvest dates by field or CMU .....*But none harvested yet*..... ☒ Yes ☐ No

Crop type and yield by field or CMU – bushels/acre (seasonally) .....*ditto*..... ☒ Yes ☐ No

For each land application event, the date, rate (tons of manure or gallons of wastewater/acre or pounds of N and P per acre), weather conditions during and for 24 hours before and after application, application method, and equipment used by field or CMU (daily during application).....*NA*..... □ Yes ☐ No

The total amount of N and P applied to each field, including calculations ..... ☒ Yes ☐ No ☐

Lease/Rental/Access Agreements for all land not owned by the operator .....*NA*..... ☐ Yes ☐ No

☒ Off-site Transfer of Manure and Wastewater Records

Date of each transfer ..... ☒ Yes ☐ No

The name and address of the recipient (for each transfer) ..... ☒ Yes ☐ No

Quantity transferred (for each transfer) ..... ☒ Yes ☐ No ☐

Documentation that the most current nutrient analysis was provided to the recipient ..... ☒ Yes ☐ No

Does the plan require that any additional records be maintained at the facility? ..... ☐ Yes ☒ No

If yes, what are those records? _____
_____

Does the plan include an emergency action plan to address spills and catastrophic events? .. ☒ Yes ☐ No

Terms for Minimum Practice: Record Keeping (identify below or reference NMP section(s)):

_____
_____
_____
_____
_____

Part C – Determination of Plan Adequacy

[Note: This section is to be used by the NMP reviewer to evaluate the overall adequacy of the plan based on the information in Parts A and B and does not necessarily reflect information expected to be contained in the NMP.]

Does the plan adequately address the storage, handling, and application of manure and wastewater to prevent the discharge of pollutants to waters of the United States? ..... ☒ Yes ☐ No

Is the plan consistent with the technical standards for nutrient management established by the Director with regard to protocols for manure and soil testing and land application protocols including nutrient transport risk assessment methods and methods and data used to determine application rates? ..... ☒ Yes ☐ No

Have there been past discharges to waters of the United States from the facility? ..*Unknown*.. ☐ Yes☐ No

If yes, does the plan include sufficient measures to address the cause of the past discharge and prevent future discharges? ..... ☐ Yes ☐No

Does the plan require revision? ..... ☐ Yes☒ No

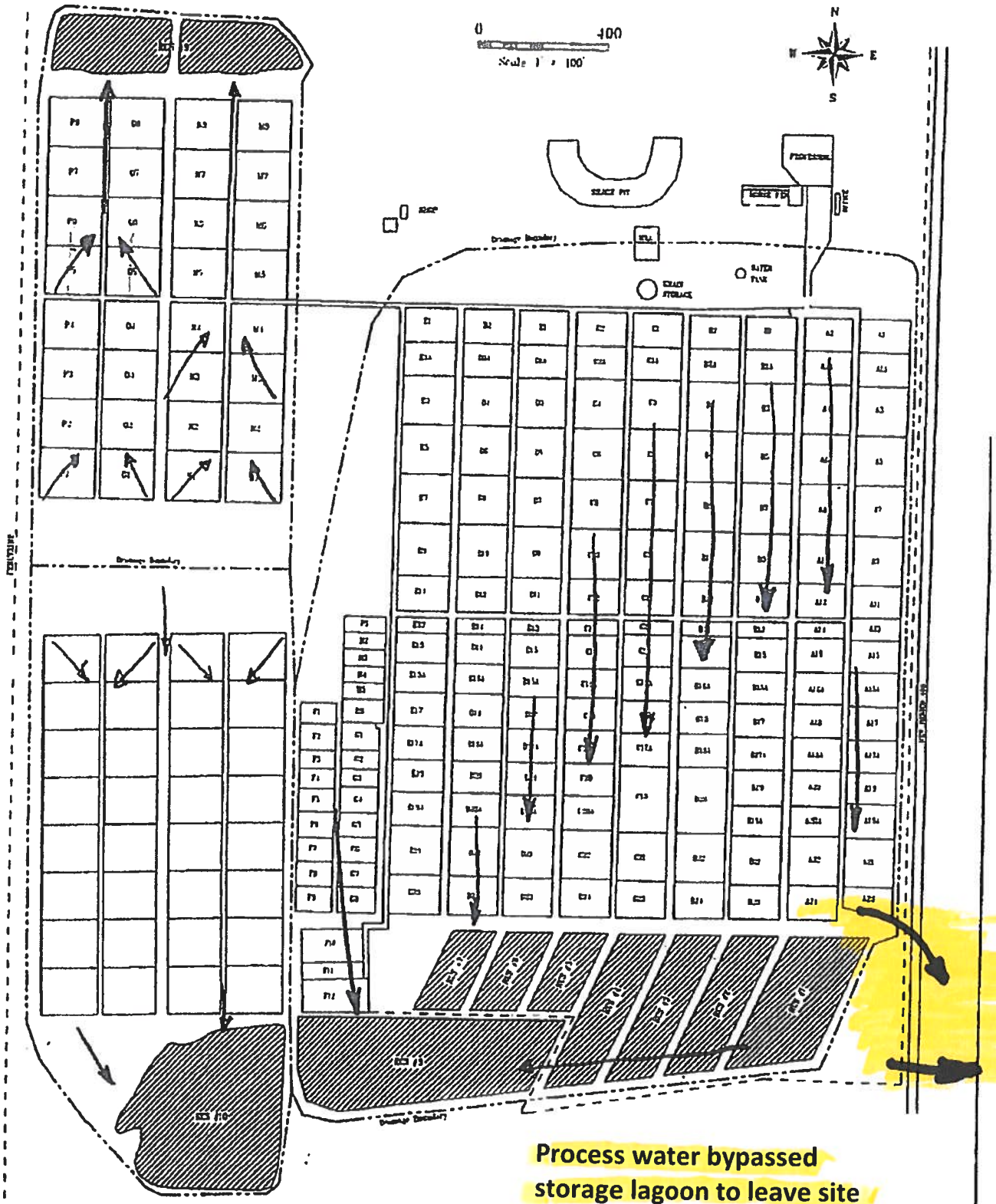
If yes, what specific components of the plan require revision?

_____
_____
_____
_____
_____
_____
_____
_____
_____

Additional Review Comments: _____*See Further Explanations for retention control structure adequacy*_____

_____
_____
_____
_____
_____
_____
_____
_____
_____

Attachment 2



Double A Feeders -7H Clayton, NM Union County	Site Map Updated: August 2007	ENVIRO-AG ENGINEERING, INC. Enviro-Ag Engineering, Inc. ENGINEERING CONSULTANTS 3404 Airway Boulevard AMARILLO, TEXAS 79118 TEL (806) 353-8123 FAX (806) 353-4132

Attachment 3

SUBJECT:	7-H Cattle Feeders Discharge onto USFS Kiowa Unit #42
DATE:	1/10/2018
TO:	NMED Attn. Daniel Hermanns

On October 19th 2017 and anonymous report was made by an individual who came into the office. The report stated that the 7-H Cattle Feeders Feed lot, across from US Forest Service Kiowa Unit #42 (K-42), had a lagoon that was leaking into the drainage west of Hwy 406 and dumping into K-42 wetland pasture on the East side of Hwy 406. Pete Lefebvre and Cari Howell (Rangeland Management Specialists) performed a site inspection of K-42 on October 23rd (see photos). Further site inspections were conducted by Ben Coble (Rangeland Management Specialist) and Mike Atkinson (District Ranger, KRB). Contact was made with Bob Podzemny, owner of 7-H Cattle Feeders, on October 23rd and he responded that it was a mixture of clean water and water from the lagoon but that they were working on getting it fixed. On 11/3/2018 we informed Mr. Podzemny that as the owner and operator in charge of the facility he has a responsibility to notify NMED whenever a discharge occurs in order for them to do some quality monitoring if they need to. The phone number was given to him in order to make the report on multiple occasions. On 12/14/2017 Mr. Podzemny reported that the damaged valves and pipes that caused the issue had been repaired in order to prevent the water from discharging into the drainage and K-42. He stated that the issue involved fresh water that was draining into the leach pond/lagoon and then draining from the leach pond/lagoon into K-42. A site inspection was performed to verify that there was no longer water flowing into K-42 (see photos). There is still concern about the standing leach/lagoon water in the stock pond located on K-42 and its possible environmental concerns.

PHOTOS OF FIELD INSPECTION October 23, 2017

Figure 1: Draw in K-42 wetland area filled with Feed Lot lagoon water.

Figure 2: Bar Ditch filled with lagoon water on West Side of Hwy 406. Feed lot can be seen in the background.

Figure 3: Stock Pond on West side of dam in K-42 filled with lagoon water.

Figure 4: Stock Pond on West side of dam in K-42 facing West down the draw filled with lagoon water.

Figure 5: Stock Pond on West side of Dam in K-42 facing east toward dam.

PHOTOS OF FIELD INSPECTION December 14, 2017

Figure 6: Dry draw running into K-42

Figure 7: Culvert on West side of Hwy 406. No water running into the culvert.

Figure 8: Fenceline between feedlot and Hwy 406 right of way. No water running from the feedlot.

Figure 9: K-42 water from discharge remaining in stock pond.

Figure 10: K-42 Water remaining in stock pond. West side of dam.

Figure 11: Water remaining in stock pond after repair. West side of Dam in K-42.